

NOTICE OF TYPE III DEVELOPMENT REVIEW APPLICATION AND PUBLIC HEARING

(Form DS1308)



The Department of Community Development has received an application for development review, as described below. This application is subject to public notice and public hearing pursuant to Clark County Code (CCC) Section 40.510.030 and applicable code sections as listed below.

The Clark County Hearings Examiner will conduct the public hearing on **Thursday August 5, 2004 at 7:00 P.M.**, at **Public Service Center, 1300 Franklin St., Vancouver, Washington, Sixth Floor Suite 680** (see attached map). Parking is available in the parking garage on the north side of the Public Service Center (access off Franklin St.) after 6pm.

At the hearing, the Examiner will consider the following:

Project Name: **MERRITT'S HIDEAWAY SUBDIVISION**

Case Number: **PLD2004-00041; SEP2004-00066; HAB2004-00083; ARC2003-00073; WET2004-00017**

Location: 8809 NE 88th Street

Request: The applicant is requesting to subdivide an approximate 34.27-acre parcel into 145 single-family residential lots located in the R1-6 and CH zone districts.

Applicant: Aho Construction I, Inc.
Attn: Tom Arrowsmith
5512 NE 109th Court, Suite 101
Vancouver, WA 98662
(360) 254-0493; (360) 254-6998 FAX

Contact Person: Minister & Glaeser Surveying, Inc.
Attn: Nicolle Sicilia, Project Planner
2200 E. Evergreen Blvd.
Vancouver, WA 98661
(360) 694-3313; (360) 694-8410 FAX
E-mail: nss@mgsurvey.com

Property Owner: Luck Investment Co. LLC
8809 NE 88th Street
Vancouver, WA 98662

Hearing Examiner: Daniel Kearns

Staff Contact: Dan Carlson ext. 4499

**Neighborhood
Contact:** No Mapping Indicators

Date this Public Notice Issued: May 27, 2004

Legal Description of Property: (Parcel Number 155968-000) Northeast Quarter of Section 05, Township 2 North Range 2 East of Willamette Meridian; Southeast Quarter of Section 5, Township 2 North Range 2 East of Willamette Meridian

Approval Standards/Applicable Law:

Clark County Code Sections: 12.05A (Transportation); 13.04 (Flood Control District); 13.08A (Sewer); 13.29 (Stormwater and Erosion Control Ordinance); 13.36 (Wetlands); 13.40A (Water); 13.51 (Habitat Conservation); Title 15 (Fire Protection); Title 17 (Land Division); 18.65 (Impact Fees); 18.308 (Single-Family Residential Districts); 18.313 (Commercial Districts); 18.327 (Floodplain Combining Districts); 18.411 (Interpretations and Exceptions); 18.600 (Procedures); 20.06 (SEPA); Title 24 (Public Health); 40.350.020 (Concurrency); and RCW 58.17 (State Platting Laws).

Application & Fully Complete Date:

Application Filed: April 19, 2004
Fully Complete: May 10, 2004

SEPA Appeal Process:

In accordance with the State Environmental Policy Act (SEPA) and Clark County Code 20.50.030, the County must determine if there are significant environmental impacts associated with this request. The County will review the applicant's submitted SEPA checklist and make a determination in the combined Development Review Staff Report and SEPA Checklist Review to be issued at least fifteen (15) calendar days prior to the hearing.

A Determination of Non-significance (DNS) indicates that identified impacts can be adequately addressed with the application of existing County Codes and development standards. A Mitigated Determination of Non-significance (MDNS) indicates that identified impacts can be adequately addressed with conditions of approval.

Procedural or substantive appeals of a Determination of Non-Significance (DNS) or a Mitigated determination of Non-Significance (MDNS) must be filed in writing with the County within fourteen (14) calendar days of the date the SEPA Determination is issued. There is no SEPA appeal fee for Type III reviews. SEPA appeals will be considered by the Hearings Examiner at the scheduled public hearing noted above, and decided in the subsequent written decision.

Issues of compliance with existing adopted approval standards and criteria can be addressed in the public hearing without an appeal of the SEPA determination.

Staff Report Timelines/Process:

Staff reports, agendas, and/or SEPA reviews and determinations will be available for review at least fifteen (15) calendar days before the hearing date. Information regarding this application may be obtained by contacting **Dan Carlson at (360) 397-2375, Ext. 4499** at the Clark County Development Services Division, 1300 Franklin Street, Vancouver, Washington. Office hours are from 8:00-5:00 p.m., Monday - Friday.

Public Testimony Process:

Any person wishing to present testimony should arrive by **7:00 p.m.** at the Public Service Center, 6th floor, 1300 Franklin Street, Vancouver, Washington.

Faxed & Written Testimony

Testimony can be faxed to the Development Services Division at (360) 397-2011, Attn: **Angie Merrill**. Written testimony can be mailed or hand delivered to the Development Services Division, Clark County Community Development, 1300 Franklin Street, PO Box 9810 Vancouver, WA 98666-9810.

Faxed, mailed or delivered testimony must be received at the Community Development Customer Service Center by **1:00 P.M., the day of the hearing**. Other written or verbal testimony may be presented and considered at the public hearing. Comments received by two weeks after the notice will be considered in the staff report.

Note: If an accurate mailing address for those submitting comment is not included, they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

Appeal Process:

The Hearing Examiner normally issues a decision within two weeks of the public hearing. In accordance with Clark County Code 40.510.030(H), appeals of Hearing Examiner decisions must be filed with the Board of County Commissioners within fourteen (14) days of the mailing of the Hearing Examiner's written decision. Hearings Examiner decisions on any SEPA appeal cannot be further appealed to the Board of County Commissioners. Such appeals must pursue judicial review.

Appeals must be in writing and contain a brief statement describing why the Hearing Examiner's decision is in error. The appeal must be accompanied by check in the

amount of **\$279**. Checks shall be made payable to the Board of County Commissioners.

Accommodation of Physical Impairments:

The Customer Service Center is wheelchair accessible. For persons requiring auxiliary aids or special arrangements in order to participate in this hearing, please contact the Development Services Division as far in advance of the hearing date as possible. To request these arrangements, please contact **Angie Merrill** at (360) 397-2375, Ext. 4992, or call the Telecommunications Device for the Deaf (TDD) line at (360) 397-6057.

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**